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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**
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10 LEVI DUNN,

11 Plaintiff,

12 v.

13 PAUL R. COCHRAN, *et al.*,

14 Defendants.
15

Case No. 3:07-CV-00318-KJD-RAM

ORDER

16 Before the Court for consideration is the Report and Recommendation (#23) of Magistrate
17 Judge Robert A. McQuaid entered February 10, 2009 , recommending that Defendants' Motion to
18 Dismiss (#18) be granted and that Plaintiff's complaint be dismissed without prejudice for failure to
19 exhaust administrative remedies. Though the time for doing so has passed, Plaintiff has not filed
20 objections to the magistrate judge's recommendations. The Court has conducted a *de novo* review of
21 the record in this case in accordance with 28 U.S.C. § 636(b)(1)(C) and LR IB 3-2. The Court
22 determines that the Report and Recommendation of the United States Magistrate Judge entered
23 February 10, 2009, should be adopted and affirmed.

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1 IT IS THEREFORE ORDERED that the Magistrate Judge's Report and Recommendation
2 (#23) entered February 10, 2009 is **ADOPTED and AFFIRMED**, and Defendants' Motion to
3 Dismiss (#18) is **GRANTED**;

4 IT IS FURTHER ORDERED that Plaintiff's complaint is **DISMISSED without prejudice**.

5 DATED this 3RD day of March 2009.

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Kent J. Dawson
United States District Judge